ORDINANCE-2013-1

MEETING: February 5, 2013
TO: The Board of Supervisors
FROM: Peter Rei, Public Works Director
RE: Second Reading - Bus Loading Zone Ordinance

RECOMMENDED ACTION AND JUSTIFICATION:
Waive the Second Reading and Adopt an Ordinance Amending Chapter 10.08.070 of the Mariposa County Code (Pursuant to Bus Loading Zones) Bus Loading Ordinance Amendments.

If the Board approves this Ordinance it will then be sent to Caltrans for their review and approval. If approved by Caltrans the County will be granted a no-cost encroachment permit to install the Bus Loading Zone/No Parking signs pursuant to Section 22500 paragraph (I) and Section 22506 of the California Vehicle Code.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
Following a request from Yosemite Area Regional Transportation System (YARTS), the Board of Supervisors approved of the first reading of this Ordinance on January 8, 2013.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
If the Ordinance is not approved, then staff will be unable to gain approval from Caltrans for the placement of Bus Loading Zone/No Parking signs, which may adversely impact YARTS buses from safely loading and unloading passengers due to parked cars within the bus loading zones.

ATTACHMENTS:
Bus Loading Ordinance (Attachment #1) (PDF)
Vehicle code section (Attachment #2) (PDF)
Parking at colored curbs (Attachment #3) (PDF)

CAO RECOMMENDATION
Requested Action Recommended
RESULT:  ADOPTED [UNANIMOUS]
MOVER:  Merlin Jones, District II Supervisor
SECONDER:  Janet Bibby, District III Supervisor
AYES:  Janet Bibby, Kevin Cann, John Carrier, Merlin Jones
MARIPOSA COUNTY ORDINANCE No. 2013-1 1095

BUS LOADING ORDINANCE AMENDMENTS

WHEREAS, the Board of Supervisors desire to ensure the safe loading and unloading of passengers from buses; and,

WHEREAS, the Board of Supervisors desire to coordinate with the California Department of Transportation to designate appropriate bus loading zones; and,

WHEREAS, this amendment will add language to Chapter 10.08.070 of the Mariposa County Code.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:

SECTION I: Section 10.08.070 of Chapter 10 of the Mariposa County Code is hereby amended to read as follows:

10.08.070 - Bus Loading Zone

A. There is established a bus loading zone on the north side of Tenth Street in the town of Mariposa, county of Mariposa, state of California, commencing twenty (20) feet from the intersection of Highway 140 and Tenth Street running westerly for sixty (60) feet to Jessie Street.

B. There is an established bus loading zone on the easterly side of Charles Street in the Town of Mariposa, County of Mariposa, State of California, commencing at the intersection of the easterly line of Charles Street with the northerly line of Seventh Street, thence northerly along said easterly line of Charles Street fifty (50) feet.

C. There is an established bus loading zone on the easterly side of Charles Street in the Town of Mariposa, County of Mariposa, State of California, commencing at the intersection of the westerly line of Charles Street with the northerly line of Seventh Street, thence northerly along said westerly line of Charles Street one hundred and three (103) feet.

D. Parking in the zones described in Subsections "A", "B", and "C" shall be limited for the purpose of bus parking and the loading and unloading of passengers.

SECTION II: This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code §25123.
PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 5th day of February, 2013 by the following vote:

AYES: JONES, BIBBY, CANN, CARRIER

NOES: NONE

ABSENT: STETSON

ABSTAINED: NONE

KEVIN CANN, Vice Chairman
Mariposa County Board of Supervisors

ATTEST:

RENE LaROCHE, Clerk of the Board

APPROVED AS TO FORM:

STEVEN W. DAHLEM, County Counsel
22500. No person shall stop, park, or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in any of the following places:

(a) Within an intersection, except adjacent to curbs as may be permitted by local ordinance.

(b) On a crosswalk, except that a bus engaged as a common carrier or a taxicab may stop in an unmarked crosswalk to load or unload passengers when authorized by the legislative body of any city pursuant to an ordinance.

(c) Between a safety zone and the adjacent right-hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb, which sign or paint was erected or placed by local authorities pursuant to an ordinance.

(d) Within 15 feet of the driveway entrance to any fire station. This subdivision does not apply to any vehicle owned or operated by a fire department and clearly marked as a fire department vehicle.

(e) In front of a public or private driveway, except that a bus engaged as a common carrier, schoolbus, or a taxicab may stop to load or unload passengers when authorized by local authorities pursuant to an ordinance.

In unincorporated territory, where the entrance of a private road or driveway is not delineated by an opening or curb or by other curb construction, so much of the surface of the ground as is paved, surfaced, or otherwise plainly marked by vehicle use as a private road or driveway entrance, shall constitute a driveway.

(f) On any portion of a sidewalk, or with the body of the vehicle extending over any portion of a sidewalk, except electric carts when authorized by local ordinance, as specified in Section 2114.5. Lights, mirrors, or devices that are required to be mounted upon a vehicle under this code may extend from the body of the vehicle over the sidewalk to a distance of not more than 10 inches.

(g) Alongside or opposite any street or highway excavation or obstruction when stopping, standing, or parking would obstruct traffic.

(h) On the roadway side of any vehicle stopped, parked, or standing at the curb or edge of a highway, except for a schoolbus when stopped to load or unload pupils in a business or residence district where the speed limit is 25 miles per hour or less.

(i) Except as provided under Section 22500.5, alongside curb space authorized for the loading and unloading of passengers of a bus engaged as a common carrier in local transportation when indicated by a sign or red paint on the curb erected or painted by local authorities pursuant to an ordinance.

(j) In a tube or tunnel, except vehicles of the authorities in charge, being used in the repair, maintenance, or inspection of the facility.

(k) Upon a bridge, except vehicles of the authorities in charge,
officer or official traffic control signal. For purposes of this
section, a multiple-lane highway is defined as any highway having two
or more lanes of travel in each direction.

22505. (a) The Department of Transportation with respect to
highways under its jurisdiction may place signs or markings
prohibiting or restricting the stopping, standing, or parking of
vehicles, including, but not limited to, vehicles which are six feet
or more in height (including any load thereon), in any of the
following areas and under the following conditions:

(1) In areas where, in its opinion, stopping, standing, or parking
is dangerous or those using the highway or where the stopping,
standing, or parking of vehicles would unduly interfere with the free
movement of traffic thereon.

(2) In areas within one-half mile of the boundary of any unit of
the state park system which the Director of Conservation has
determined are unusually high fire hazard areas, upon notification of
the Department of Transportation of such determination by the
Director of Conservation.

(3) In areas within one-half mile of the boundary of any unit of
the state park system which the county health officer has determined
are areas where a substantial public health hazard would result if
camping were allowed, upon notification of the Department of
Transportation of such determination by the county health officer.

(b) No person shall stop, park, or leave standing any vehicle in
violation of the restrictions stated on the signs or markings.

(c) This section does not apply to any of the following:

(1) Public utility vehicles while performing a work operation.

(2) The driver of any vehicle which is disabled in such a manner
and to such an extent that it is impossible to avoid stopping,
parking, or leaving the disabled vehicle standing on the roadway.

22506. Local authorities may by ordinance or resolution prohibit or
restrict the stopping, standing, or parking of vehicles on a state
highway, in their respective jurisdictions, if the ordinance or
resolution is first submitted to and approved in writing by the
Department of Transportation, except that where maintenance of any
state highway is delegated by the Department of Transportation to a
city, the department may also delegate to the city the powers
conferred on the department.

22507. (a) Local authorities may, by ordinance or resolution,
prohibit or restrict the stopping, parking, or standing of vehicles,
including, but not limited to, vehicles that are six feet or more in
height (including any load thereon) within 100 feet of any
intersection, on certain streets or highways, or portions thereof,
during all or certain hours of the day. The ordinance or resolution
may include a designation of certain streets upon which preferential
parking privileges are given to residents and merchants adjacent to
the streets for their use and the use of their guests, under which
the residents and merchants may be issued a permit or permits that
objects, pedestrians, animals, etc. Begin to back up while turning the wheel hard toward the curb; you want the angle to be sharp but not too sharp.

4. **Once the back of your seat is aligned with the rear bumper of the vehicle in front of the empty space, begin turning the steering wheel away from the curb.**

5. **Straighten out.** Your vehicle should now be about 6 inches from and parallel the curb. You might have to adjust your vehicle forward or backward before you put your vehicle in park and turn off the engine. Check your mirrors and look over your left shoulder for oncoming traffic or bicyclists before you exit.

**HOW TO PARK**

**Step 1**
Bring your car to a stop alongside the car at the front of the space.

**Step 2**
Reverse into the space with an S motion.

**Step 3**
Once the car is parallel with the curb, pull forward to center your car within the space.

**Parking at Colored Curbs**
Painted colored curbs have the following special parking rules:

**White**—Stop only long enough to pick up or drop off passengers or mail.

**Green**—Park for a limited time. Look for a posted sign next to the
green zone for time limits, or locate the time limit painted on the curb.

Yellow—Stop no longer than the time posted to load or unload passengers or freight. Drivers of non-commercial vehicles are usually required to stay with the vehicle.

Red—No stopping, standing, or parking. (Buses may stop at a red zone marked for buses.)

Blue—Parking is permitted only for a disabled person or a driver of a disabled person who displays a placard or a special license plate for disabled persons or disabled veterans. Disabled people with a placard or special plates may park in special areas for unlimited periods of time, regardless of time restrictions. No one other than a disabled person or a driver of a disabled person may park there. A crosshatched (diagonal lines) area adjacent to a designated disabled parking space is a no parking area. Qualified persons may apply at any DMV office or visit the DMV website at www.dmv.ca.gov to obtain a form for a parking placard or special plates. An identification card will be issued to holders of disabled person or disabled veteran license plates.

Example of crosshatched (diagonal lines) area

NOTE: Placard abuse results in the loss of special parking privileges. It is also a misdemeanor and punishable by a fine of up to $1,000, imprisonment in county jail for up to six months, or both.

Examples of placard abuse:

- Using a placard after it has been reported lost or stolen without reporting that the placard was found.
- Loaning your placard to friends or family members (disabled or not).
- Interchanging placards with friends or family members.
- Using a placard when the person it was issued to is not in the vehicle with you (disabled child, family member, disabled employer, etc.).
- Using a deceased person’s placard.

NOTE: Disabled plates and/or a placard must be surrendered or returned to the nearest DMV within 60 days of the death of the disabled person. The plates and/or placard can also be mailed to the following address:

DMV
PO Box 942869 MS D238
Sacramento, CA 94269-0001
Certificate of Publication
C.C.P. 2015.5

Mariposa Gazette

STATE OF CALIFORNIA  )
COUNTY OF MARIPOSA    )  ss.

I, the undersigned, state:

    I am the publisher and principal clerk of the Mariposa Gazette and Miner, an established weekly newspaper of general circulation, within the Town and County of Mariposa, State of California, within the provision of Chapter 1 Division 3 Title 1 of the California Government Code, and which newspaper has been printed and published weekly in the Town of Mariposa, County of Mariposa, State of California, continuously since the year 1854; that I am a citizen of the United States over the age of 18 years, and a resident of the County aforesaid; that the notice, of which the annexed is a printed copy, has been published in each regular issue of said newspaper and not in any supplement thereof on the following dates, to wit:

2/14/13

__________________________________________
Signature (R.D. Tacker, Publisher)

Date 2/14  2012

MARIPOSA COUNTY ORDINANCE NO. 2013-1
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AYES: JONES, BIBBY, CANN, CARRIER
NOES: NONE
ABSENT: STEBSON
ABSTAINED: NONE

/s/ KEVIN CANN
KEVIN CANN, Vice Chairman
Mariposa County Board of Supervisors

ATTEST:
/s/ RENE LAROCHE
RENE LAROCHE
Clerk of the Board

APPROVED AS TO FORM:
/s/ STEVEN W. DAHLEM
STEVEN W. DAHLEM
County Counsel

2/14/2013:1C
February 19, 2013

Memo to Ordinance 1095

Initially this ordinance was automatically assigned No. 2013-1 by MinuteTraq.

Per direction of Steve Dahlem, County Counsel, this is a clerical error only and should be noted for future reference.